

09/329,140

MS115203.1

---

**REMARKS**

Claims 1-50 are currently pending in the subject application. Claims 1-5, 25-31, 39-42 and 50 are presently under consideration. A clean version of all pending claims is found at pages 2-14 of this Reply. A marked-up version of the claim amendments is found on page 18 of this Reply.

Claim 34 has been amended to correct a typographical error; no new matter has been introduced by this amendment.

**I. Rejection of Claims 1-5, 25-31, 39-42 and 50 Under 35 U.S.C. §103(a)**

Claims 1-5, 25-31, 39-42 and 50 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Goh (US 5,678,015). Withdrawal of this rejection is respectfully requested for at least the following reasons.

It is respectfully submitted that Goh does not make obvious the subject invention as recited in the rejected claims for at least the following reasons. Goh does not disclose, teach or suggest such systems or methods as recited in the claims. Applicant's representative respectfully submits that Goh has been incorrectly characterized in an attempt to establish a *prima facie* case of obviousness which the Examiner has failed to set forth.

The subject invention "provides a graphical user interface in which a number of windows or planes depict different types of *related information*". (p. 9, lines 3-5, emphasis added). The independent claims presently under consideration (claims 1, 25, 31, 41 and 50) each recite limitations of a first window having first information, the first information *being related to an event* and a second window having second information, the second information *being related to the event*. It is respectfully submitted that Goh does not teach or suggest a first window displaying first information of a first type, the first information *being related to an event*, and, a second window displaying second information of a second type, the second information *being related to the event* as recited in the subject claims. To the contrary, Goh discloses a "four-dimensional GUI for *displaying* a plurality of windows 104 simultaneously." (col. 5, lines 12-13, emphasis added). No connection or relationship between the information displayed in the plurality of windows is disclosed, taught or even suggested by Goh. Further, Applicant's representative agrees with the Examiner that Goh fails to teach that the interface is for assisting a decision making process.

09/329,140

MS115203.1

Thus, Goh does not make obvious the subject invention as recited in the subject claims. Therefore, it is submitted that independent claims 1, 25, 31, 41 and 50 and claims 2-5, 26-30, 39, 40 and 42 which depend therefrom are allowable and withdrawal of their rejection is respectfully requested.

## **II. Rejection of Claims 1, 2, 5, and 50 Under 35 U.S.C. §102(a)**

Claims 1, 2, 5, and 50 stand rejected under 35 U.S.C. §102(a) as being anticipated by Horvitz, et al. (US 5,880,733). Withdrawal of this rejection is respectfully requested for at least the following reasons. Horvitz does not teach or suggest each and every element recited in the claims of the subject invention.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As discussed previously, independent claims 1 and 50 of the present invention recite limitations of a first window having first information, the first information *being related to an event* and a second window having second information, the second information *being related to the event* which is not taught or suggested by Horvitz. Horvitz "provides a three-dimensional virtual workspace for a window based display system." (col. 3, lines 3-5). Horvitz does not teach or suggest a connection or relationship between the information displayed in the windows.

For these reasons, withdrawal of this rejection and allowance of independent claims 1 and 50 and claims 2 and 5 which depend therefrom is respectfully requested.

## **III. Conclusion**

The present application is believed to be condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.


09/329,140

MS115203.1

---

The Examiner is invited to contact applicant's undersigned representative over the telephone to expedite favorable prosecution of the subject application.

Respectfully submitted,  
AMIN & TUROCY, LLP



---

Himanshu S. Amin  
Reg. No. 40,894

AMIN & TUROCY, LLP  
Himanshu S. Amin  
24<sup>th</sup> Floor, National City Center  
1900 East 9<sup>th</sup> Street  
Cleveland, Ohio 44114